

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ANDREW JOHN WAHOLEK,)	
)	
Plaintiff,)	
)	Civil Action No. 20-1639
vs.)	Judge Robert J. Colville
)	Magistrate Judge Maureen P. Kelly
MELIDA L. ADAMS, Superintendent, and)	
RAY C. SNYDER, FSM-1,)	
)	
Defendants.)	

ORDER

AND NOW, this 7th day of December, 2021, after the Plaintiff, Andrew John Waholek filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties until November 29, 2021 and to December 2, 2021 for Unregistered Users, to file written objections thereto, the Court's docket indicating that no objections have been filed, and upon independent *de novo* review of the record, Fed. R. Civ. P. 72 (a), (b)(3), 28 U.S.C. Section 636 (b)(1), and upon consideration of the Magistrate Judge's Report and Recommendation (ECF No. 43), which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that this action is hereby DISMISSED, without prejudice, for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

IT IS FURTHER ORDERED that the Motion to Dismiss (ECF No. 30) is hereby DISMISSED as moot.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order a notice of appeal, as

provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.

/s/ Robert J. Colville
United States District Judge

cc/ecf: Counsel of Record
Magistrate Judge Maureen P. Kelly

Andrew John Waholek
201 Michigan Street
Pittsburgh, PA 15210